



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 6.3

July 2018

BEANBAG SHOTGUN

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the Beanbag Shotgun.



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes that a suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** do not alone justify the use of Less-Lethal force.

An officer may use the Beanbag Shotgun as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the Beanbag Shotgun:

- Verbal threats of violence
- Mere non-compliance

The Beanbag Shotgun may be used in crowd control situations against a single subject/suspect as a target-specific less-lethal option.

Only sock round ammunition is to be used in the Beanbag Shotgun. Buckshot and shotgun slugs should not be used. Officers shall inspect the ammunition and the holder to ensure only sock round ammunition is available.



PROCEDURES

For tactical and weapon retention purposes, the recommended deployment range for the Beanbag Shotgun is five feet to 45 feet. When officers realize the need for a Beanbag Shotgun, they should request one by broadcasting a “Code Sam.”

Tactical Considerations

- Size of suspect versus size of officer
- Clothing
- Altered mental state
- Any known history of mental illness
- Age and/or physical condition of the suspect
- Suspect's access to weapons
- Suspect's ability to retreat or escape
- Bystanders' involvement
- Availability of back-up officers (Can suspect be distracted until other units arrive?)
- Background (What is behind the suspect?)
- Officers should maintain distance from the suspect

If tactically and environmentally feasible, the Beanbag Shotgun should be deployed from a position of cover with a designated cover officer. Officers need to be mindful of the distance to the suspect so that the suspect is not in a position to grab the barrel of the shotgun.

The Beanbag Shotgun officer alerts other officers when ready to fire by shouting or broadcasting, “Beanbag Ready!” The primary officer gives the clear to fire signal by shouting or broadcasting, “Beanbag, Standby!” This alerts the officers at the scene that the firing of the Beanbag Shotgun is imminent.

When firing the Beanbag Shotgun, the officer should assess the effectiveness of every round. The effectiveness of the sock round is based on the energy at impact. Therefore, the round may have little or no effect on a suspect who has a large body mass, is wearing heavy clothing or body armor, is under the influence of drugs, or is in a state of mind which prevents the suspect from feeling the impact of the round.

If shots to the navel area or belt line do not appear to be effective, possibly due to body armor or heavy clothing, then a leg, arm or hand may be a viable alternative target. **If control is not achieved and it appears that the sock round is not effective, even after changing target areas, the officers must assess the viability of an alternate force option.** Additionally, officers should continue to assess the suspect's actions and the effectiveness of each force option used.

If officers encounter a self-mutilating or suicidal individual, the use of the Beanbag Shotgun may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Generally, officers should not shoot the Beanbag Shotgun at a fleeing suspect. Officers should pursue and attempt to contain the suspect, while continually assessing the situation and considering the most appropriate tactical plan.

The Beanbag Shotgun is not a substitute for deadly force. When conducting a building search for a suspect who may be armed, standard firearms must be deployed. Having a Beanbag Shotgun available with the search team will allow additional force options if the situation changes.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the Beanbag Shotgun to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the Beanbag Shotgun is fired.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use the Beanbag Shotgun, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 1.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the "element of surprise was needed" or "for officer safety" reasons will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use of the warning will be factors considered in the determination whether the use of force was objectively reasonable.

Tactical Discharges

Tactical discharges (disabling lights, breaking out windows, etc.) are allowed, but are not recommended due to the fact that they may cause secondary impacts. Before a tactical discharge is used to break a window, officers should consider that an individual may be behind the window. Tactical discharges may be an effective option in limited circumstances. The Beanbag Shotgun is generally not effective against tinted car

windows or streetlights. Officers must assess the situation after each tactical discharge, and if the weapon is not effective, consider other options. Officers must be prepared to give the rationale behind their decision to fire. The reporting procedure for a tactical discharge is the same as a discharge that does not strike a person.

In the event the Beanbag Shotgun will be used for a tactical discharge, it should be communicated to all officers at scene.

Reporting

The use of a Beanbag Shotgun for any reason other than an approved training exercise shall be documented according to established Department procedures on the Non-Categorical Use of Force Report; however, when a Beanbag Shotgun is fired and the round does not strike a person, a use of force report is not necessary and an Employee's Report, Form 15.07.00, should be completed to document the incident. Supervisors shall obtain photographs of all visible and complained of injuries, even when evidence of injury is not present.

Medical

Any person struck with a sock round shall be transported to a Department-approved facility for medical treatment prior to booking. The person should be carefully monitored for signs of distress. If a medical emergency situation exists, officers shall request a rescue ambulance to respond to their location.

DEFINITIONS

Beanbag Shotgun: A Remington 870 shotgun which has been configured with a green slide handle and stock, rifled barrel, and side saddle ammunition holder. The color green is used to signify that the shotgun is for the sock round only, not lethal munitions.

Code Sam: When officers realize the need for a Beanbag Shotgun, they should request one by broadcasting a "Code Sam." They should also request a supervisor to respond. Officers should consider carrying the Beanbag Shotgun with them on calls where it may be needed to eliminate the delay of having to return to their vehicle or waiting for another unit to respond.

Super-Sock Round (sock round): The Super-Sock round is a 12-gauge cartridge containing a shot-filled fabric bag. It can be identified by its clear plastic case containing a yellow fabric bag. These rounds are designed to be non-penetrating, and upon striking a target distribute energy over a broad surface area.

Tactical Discharge: The firing of a weapon at an object to assist officers in a tactical situation, such as to knock out lighting or break windows.

Target Areas: The primary target area is the navel area or belt line, but officers may target the suspect's arms, hands or legs when practicable. If the hand is the selected target, consider its location and what it is holding. However, officers should recognize that many circumstances might make it difficult to target such areas. The sock round may cause serious or fatal injuries if fired at the head, neck, spine, chest, groin, or kidneys.

Points to Remember

- No minimum range, but recommended deployment is from 5 feet to 45 feet
- Assessment between rounds is critical
- Generally, a warning prior to deployment is required
- Do not target the head, neck, spine, chest, groin, or kidneys
- Is a reportable use of force
- Have a back-up plan in the event the sock round is ineffective
- The Beanbag Shotgun should not be deployed unless lethal force is available for cover

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 6.2, Beanbag Shotgun, March 2013.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"